

## **CITY BOARD OF ZONING APPEAL #06007**

**DATE SCHEDULED FOR PUBLIC HEARING:** June 30, 2006

**LOCATION:** Northeast of the intersection of South 84<sup>th</sup> Street and Norval Road.

**ADDRESS:** 8400 Norval Road

**LEGAL DESCRIPTION:** Lot 1, Block 1, Brandt Heights Addition Replat

**ZONING:** R-1 Residential

**EXISTING LAND USE:** Single-family Residential

### **SURROUNDING LAND USE AND ZONING:**

North:	Single-family Residential	AG
South:	Single-family Residential	R-1
East:	Single-family Residential	R-1
West:	Single-family Residential	R-1

### **TYPE OF APPEAL:**

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE.

1. Lincoln Municipal Code (LMC) Section 27.11.080(a) requires a front yard setback of 30'. A variance to the front yard setback from 30' to 5' is requested. The requirements for accessory buildings are contained in LMC Section 27.11.080(e).

### **STAFF FINDINGS:**

1. The subject property is located at 8400 Norval Road and is zoned R-1.
2. The lot is a typical corner lot with front yards along both South 84<sup>th</sup> Street and Norval Road. South 84<sup>th</sup> Street is considered a major street, and Norval Road is considered a local street. The required setbacks in the R-1 district are: Front - 30'; Side - 10'; and Rear - the smaller of 30' or 20% of the lot depth.
3. Accessory buildings are not allowed in the front yard. However, they can be located up to 2' from the lot line in the required side and rear yards provided it is more than 60' from the front lot line.
4. The applicant is seeking to construct an accessory building in the front yard along South 84<sup>th</sup> Street. The location certificate shows the building 5' from the front lot line, and 11.4' from the rear lot line.

5. It appears that the property owner has reasonable use of their property without a variance to the front yard setback. There are areas on the lot where the building can be sited to conform to setbacks.
6. The Board of Zoning Appeals is empowered to grant variances "to the extent necessary to permit the owner a reasonable use of the land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned."
7. If this appeal is denied, the property owner will not be allowed to construct the accessory building as proposed.

Prepared by

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Planner  
June 21, 2006

**APPLICANT/  
OWNER:**

Dennis Holman  
8400 Norval Road  
Lincoln, NE 68520



## Board of Zoning Appeals #06007 8400 Norval Road

2005 aerial

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 35 T10N R7E

